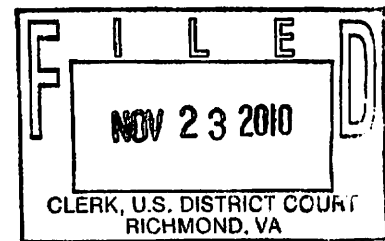


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



MARINOS GELARDOS,

Plaintiff,

v.

Civil Action No. 3:10CV494

GENE JOHNSON, *et al.*,

Defendants.

MEMORANDUM OPINION

On August 17, 2010, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on September 23, 2010, the Court directed Plaintiff to pay an initial partial filing fee of \$0.17 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

/s/
Richard L. Williams
United States District Judge

Date: NOV 23 2010
Richmond, Virginia